

Town of Searsmont  
Planning Board Meeting Minutes  
March 7, 2023  
6:30 PM

1. Call to order: The meeting of the Planning Board convened at 6:32 pm. These minutes are a summary of the Board's discussions. A recording of this meeting is available at the Town office.
2. Roll Call - Members Present:

Christian Halsted, Chair Evelyn deFrees Jon Thurston Jon Robbins on Teams Jack DeGraff Sarah Crosby, Vice Chair	Others: Frank Therio, CEO Patricia Chapman, PB Clerk on Teams Walter Wetmore Mira Wetmore Marshall Cole, Gartley & Dorsky John Lightner Chris Staples, Selectman
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3. Applications:
  - a. Bears Old Time Garage – Walter Wetmore: This is a request for a change of use of an existing site plan.
  - b. The board approved a motion at the last meeting to review and make a decision on the application tonight on the condition that the applicant has proof of notifying the abutters before the meeting. F. Therio has that proof and will provide to P. Chapman to file with the minutes.
  - c. The applicant has already paid the initial \$400 pre-application fee. There is no cost to this project so the fee for the application will be the minimum \$400. This can be paid after this meeting.

C. Halsted made a motion to review tonight's application and approve with the condition that the \$400 application fee will be paid later this week. Seconded by S. Crosby Motion passed 6 in favor, 0 opposed.
  - d. Section 1102.5 General Review Standards:
    - i. Item A: is just instructions and don't require discussion.
    - ii. Item B: this application is classified as a minor development.
    - iii. Preserve and Enhance the Landscape. The landscape shall be preserved in its natural state in so far as practical by minimizing tree removal, disturbance of soil, and by retaining existing vegetation during construction.
      1. Board agrees there will be no additional impact.
    - iv. Access to the Site Roads/driveways into the development shall provide for safe and convenient access.
      1. There have been no changes. The board agrees there will be no additional impact.
    - v. Internal Vehicular Circulation.

1. There are no changes to the parking lot or parking area.
  2. There is less traffic expected.
  3. Board agrees there will be no additional impact.
- vi. Conservation, Erosion and Sediment Control. Erosion of soil and sedimentation of Watercourses and water bodies shall be minimized.
1. A culvert was installed which improved this.
  2. There isn't really a parking lot but what is there is all gravel, no pavement.
  3. The board has no concerns.
- vii. Site Conditions. During construction, the site shall be maintained and left each day in a safe and sanitary manner.
1. This doesn't apply.
- viii. Advertising Features. The size, location, design, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.
1. They already applied for and received a permit for their sign. It is not currently lit.
  2. The board has no concerns.
- ix. Special Features of Development. Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have setbacks and screening to provide a buffer to sight and sound sufficient to minimize their adverse impact on other land uses within the development area and on surrounding properties.
1. This does not apply.
- x. Exterior Lighting. All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways.
1. There were two lights on the outside of the building but there were no concerns about them.
  2. No issues with this item.
- xi. Emergency Vehicle Access. Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.
1. Existing conditions will be maintained.
- xii. Municipal Services. The development will not have an unreasonable adverse effect on the municipal services including municipal road systems, fire department, emergency medical unit, solid waste program, schools, open spaces, recreational programs and facilities and other municipal services and facilities.
1. This is not applicable. This is a private road providing access to the property behind.
  2. Existing conditions aren't changing.
- xiii. Surface Water Drainage. The proposed facility will not result in undue surface water pollution.
1. No changes will be made.

- xiv. Phosphorous Export. When a proposed development is within the direct watershed of Levenseller Pond, Lawry Pond, Little Pond or Quantabacook Lake, the phosphorous export from development shall be equal to or less than that which is calculated using the methodology established by the Maine Department of Environmental Protection using the data provided by the Department.
  - 1. No changes will be made – does not apply.
- xv. Ground Water Protection. The proposed site development and use shall not adversely impact either the quality or quantity of ground water available to abutting properties or public water supply systems. There are no nearby water sources to pollute.
  - 1. There is no plumbing and it's not near anyone else's well.
  - 2. There are no drains in the floors.
- xvi. Air Pollution. The proposed development shall not create an emission of dust, dirt, fly ash, fumes, vapors or gases which damages human health, animals, vegetation or property, or which soils or stains persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission. All such activities shall Also comply with applicable federal and State regulations.
  - 1. No painting will be done, just mechanical repairs.
  - 2. No concerns.
- xvii. Odor. The proposed development shall not produce offensive or harmful odors perceptible beyond their lot lines, either at ground or habitable elevation.
  - 1. No concerns with this item.
- xviii. Noise. The proposed development will not cause unreasonable levels or types of noise.
  - 1. No concerns.
- xix. Sewage Disposal. The development shall provide for a suitable sewage disposal.
  - 1. This does not apply as there is no sewage or plumbing on site.
- xx. Waste Disposal. The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.
  - 1. There is a dumpster – the smallest available.
  - 2. Any fluids they deal with will be properly stored (oils, antifreeze, etc). They are not doing oil changes, etc and do not plan to sell or stock any for their projects. Shouldn't be any different than the average homeowner's garage.
- xxi. Setbacks and Screening. The proposed development will provide adequate setbacks and screening.
  - 1. No changes – existing conditions are adequate.
- xxii. Financial and Technical Capacity. The applicant has adequate financial and technical capacity to meet these standards.
  - 1. Does not apply – no cost for the project.
- xxiii. Telecommunications facilities, Co-location. New wireless telecommunications facilities must be co-located on an existing tower unless the applicant can

demonstrate that the existing tower cannot reasonably accommodate the applicant's proposed structure.

1. Does not apply.

xxiv. Scenic Resources. The proposed development or substantial expansion will have no unreasonable adverse impact upon designated scenic resources within the Town, as identified either in the municipally adopted comprehensive plan, this Land Use Ordinance, or by a State or federal agency.

1. Route 3 is not a scenic resource – does not apply.

xxv. Contingencies:

1. Payment of the fee after this meeting.

J. DeGraff motioned, that we accept the site plan as gone through, S. Crosby seconded. Motion passed 6 in favor, 0 opposed.

The Board signed copies of the plans for our files and the applicant's records.

Applicants and Selectman Staples left at 6:57

4. Approval of Minutes:

a. J. DeGraff moved to accept the February 7, 2023 minutes, E. deFrees seconded. Motion passed with 5 in favor, 1 abstained, 0 opposed.

5. Treasurer's report: None

6. Communications:

a. CEO Report:

- i. The old Dodger's property – across from main exit of Robbins Lumber – is dangerous; owners do not have any money to help clean up the site. One of the owners (siblings) passed away. There is a rat infestation spreading to the neighbors. It will cost \$30-40,000 to clean everything up – old trailers and junk cars, etc.
- ii. There is still an illegal trailer with no septic, too close to a stream. It can't be moved now because of the weather. Owner is not currently living on site and has acknowledged that he needs to move it in the spring (notarized letter).
- iii. Dangerous building on the Ghent Road – reported by ex-wife. Bones of the building look good but the front door is missing and sills and floor are unsafe. It needs to be closed up for the winter but then will need to be torn down later.

b. Building Permit spreadsheet: no new permit activity.

F. Therio left at 7:05

c. C. Halsted submitted the warrant articles, K. Hoey printed them up, and C. Halsted approved them. They ended up being 4 or 5 separate warrant articles.

- i. Board confirmed that the changes to the section on signs and section 610 about lighting were updated in other sections as well (i.e. 1102 Review Standards)

- ii. Town meeting is on April 8; Budget Hearing and review of LUO is on March 14<sup>th</sup> at 6 pm.
  - iii. Selectmen had some questions about the suggested changes that C. Halsted was able to answer.
  - iv. Note: K. Hoey doesn't print the warrant article in color so our changes highlighted in red didn't show up. In the future, we need to underline the additions in addition to using the red color so it shows up in the final version. Deletions are red but also crossed-out.
- d. There was an inquiry about the Planning Board Clerk position that was still being advertised but they didn't actually turn in an application.
- i. The Planning Board and Selectmen are both happy with the current situation having P. Chapman do the work remotely with some support from the office staff (i.e., C. Mancini has been printing and distributing minutes and agendas).
  - ii. Everyone understands and is ok with the fact that there may be some projects that take up a little more of C. Mancini's time.
- e. Selectmen were okay with recommendations from the Planning Board about the comp plan and they are going to schedule a meeting with the State this fall (Oct/Nov) to get advice and get started.
- i. That will get us on the state's list of expected comp plans.
  - ii. Selectmen are going to appoint a board but not until after they have the meeting with the state.
  - iii. The Planning Board will stay in communication with the comp plan committee.

7. Committee Reports: None.

8. Old Business:

- a. Flowchart and checklist review:
  - i. Several tasks reference "30 days" but there are times when meetings may be more than 30 days apart. Should that be changed? Changes would need to be made in the LUO which can't be done until the next town meeting.
  - ii. Add to the Appendix so it will be seen by anyone looking at the LUO documents and it doesn't need to be voted on by the town.
  - iii. We should work on another flowchart for the subdivision process.
- b. There is confusion about whether the board needs to vote on each individual item in Section 1102 – Review Standards. Can we change or clarify the LUO so the board is not required to vote on each item. Should we consult with MMA on this?
- c. Can we add something to the LUO to clarify (or make sure it's clear to the CEO) that if there is a change of ownership, there needs to be a review to determine whether an amendment is needed or a new site plan application based on what the new business will be.
  - i. The review we did tonight should have been done back when the property was transferred and this business was created a year ago.
  - ii. There is nothing in the LUO about "after the fact" reviews – no penalties, etc. Do we need to add something?
  - iii. This would have been a problem if any of the review items had actually been concerning.

- iv. Can there be a requirement in the LUO about the age of documents used in an application? Is that necessary?
  - 1. This should be evaluated on a case-by-case basis.
  - 2. Surveys and supporting documents can be from the original site plan but the actual application needs to be completely new.
  - 3. Can we get sample language from MMA?
- v. The Selectmen questioned the requirements for notifying abutters. Is proof of mailing enough or do they need proof that abutters received and/or read the announcement.
  - 1. We will discuss this at the next meeting.
  - 2. S. Crosby will talk to someone at the post office about the different ways to get proof – certified mail, signed receipt requested.
  - 3. Requiring a response or acknowledgement from abutters could unduly hold up the application process.

9. New Business:

- a. S. Crosby has been Vice Chair a long time and is looking for someone who would be interested in taking over.

10. Adjournment: J. DeGraff made a motion to adjourn, seconded by C. Halsted. Motion passed by a vote of 6 in favor, 0 opposed and the meeting was adjourned at 7:45 pm.

Respectfully submitted,  
Patricia Chapman, Planning Board Clerk

J. DeGraff made a motion at the April 4 meeting to accept the March 7, 2023 minutes as written, J. Thurston seconded. Motion passed with 7 in favor, 0 opposed